

Image

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Commissioner for Patents  
PO Box 1450  
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PATENT  
Docket No.: 014058-009070US  
Client Ref. No.: 467-C5/CX-00-0382

On April 19, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Karen Karlin

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
  
Yasir Skeiky et al.  
  
Application No.: 09/886,349  
  
Filed: June 20, 2001  
  
For: FUSION PROTEINS OF  
MYCOBACTERIUM TUBERCULOSIS

Examiner: Swartz, Rodney P.  
Art Unit: 1645  
RESPONSE TO RESTRICTION  
REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement mailed February 18, 2004,  
Applicants elect Group I, claims 1-19, 70-75, 83-88, drawn to polypeptides.

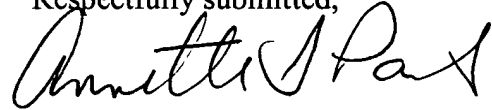
The foregoing election is made with traverse, as the four groups set forth  
by the Examiner all stem from a common concept and theory, and are thus related. As  
such, prosecution of the claims of Groups I-IV would not place a substantially greater  
burden on the Examiner. Applicants therefore respectfully request that the Examiner  
withdraw the Restriction Requirement and consider all the claims together.

Steven G. Reed et al.  
Application No.: 09/886,349  
Page 2

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

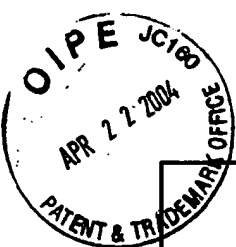
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Annette S. Parent". The signature is fluid and cursive, with the first name "Annette" being more prominent.

Annette S. Parent  
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/886,349
		Filing Date	June 20, 2001
		First Named Inventor	Skeiky, Yasir
		Art Unit	1645
Examiner Name		Rodney P. Swartz	
Total Number of Pages in This Submission		Attorney Docket Number	014058-009070US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form x2 <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request x2 <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Annette S. Parent . Reg. No. 42,058
Signature	
Date	April 19, 2004

CERTIFICATE OF MAILING			
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Typed or printed name	Karen Karlin		
Signature		Date	April 19, 2004